

104TH CONGRESS  
2D SESSION

# H. R. 3066

To amend the Native American Programs Act of 1974 to authorize appropriations for fiscal years 1997, 1998, 1999, 2000, and 2001; and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 12, 1996

Mr. CUNNINGHAM introduced the following bill; which was referred to the Committee on Economic and Educational Opportunities

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## A BILL

To amend the Native American Programs Act of 1974 to authorize appropriations for fiscal years 1997, 1998, 1999, 2000, and 2001; and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       (a) SHORT TITLE.—This Act may be cited as the  
4       “Native American Programs Amendments of 1996”.

5       (b) NATIVE AMERICAN COMMUNITY DEVELOPMENT  
6       FINANCIAL INSTITUTION.—

7               (1) AUTHORITY FOR GRANT.—Section 803A of  
8       the Native American Programs Act of 1974 (42  
9       U.S.C. 2991b–1) is amended to read as follows:

1 **“SEC. 803A. ESTABLISHMENT OF NATIVE AMERICAN COM-**  
2 **MUNITY DEVELOPMENT FINANCIAL INSTITU-**  
3 **TION.**

4 “(a) **AUTHORITY TO MAKE ONE GRANT.**—From  
5 funds appropriated to carry out this title and subject to  
6 subsection (c), the Commissioner shall make 1 grant to  
7 1 eligible Hawaiian entity to establish and operate a Na-  
8 tive Hawaiian community development financial institu-  
9 tion for purposes of providing technical assistance and  
10 loans to Native Hawaiians for economic development in  
11 the State of Hawaii.

12 “(b) **ELIGIBILITY TO RECEIVE GRANT.**—To be eligi-  
13 ble to receive the grant authorized by subsection (a), a  
14 Hawaiian entity shall submit to the Commissioner, in such  
15 form and containing such information as the Commis-  
16 sioner may require, an application that includes the follow-  
17 ing:

18 “(1) An assurance that such entity will, as a  
19 condition of receiving such grant, contribute to the  
20 Native Hawaiian community development financial  
21 institution to be established operated with such  
22 grant, an amount of capital from non-Federal  
23 sources that is not less than the amount of such  
24 grant.

25 “(2) Information that demonstrates that the  
26 Native Hawaiian community development financial

1 institution proposed to be established and operated  
2 by such entity will be capable of operating, and will  
3 operate, successfully, on a self-sustaining basis after  
4 receiving such grant and such capital.

5 “(c) SELECTION OF GRANTEE.—The Commissioner  
6 may make the grant authorized by subsection (a) only to  
7 1 eligible Hawaiian entity whose application submitted in  
8 accordance with subsection (b) satisfies the Commissioner  
9 that the Native Hawaiian community development finan-  
10 cial institution proposed to be established and operated by  
11 such entity will successfully carry out the purposes speci-  
12 fied in subsection (a).”.

13 (2) DEFINITIONS.—Section 815 of the Native  
14 American Programs Act of 1974 (42 U.S.C. 2992C)  
15 is amended—

16 (A) in paragraph (4) by adding “and” at  
17 the end,

18 (B) in paragraph (5) by striking “; and”  
19 and inserting a period at the end,

20 (C) in paragraph (6) by striking the period  
21 at the end and inserting a semicolon,

22 (D) by redesignating paragraphs (2), (3),  
23 (4), (5), and (6) as paragraphs (3), (5), (8),  
24 (9), and (4), respectively,

1 (E) by inserting after paragraph (1) the  
2 following:

3 “(2) ‘Hawaiian entity’ means—

4 “(A) the Office of Hawaiian Affairs of the  
5 State of Hawaii,

6 “(B) a Native Hawaiian organization, or

7 “(C) the Office of Hawaiian Affairs of the  
8 State of Hawaii and 1 Native Hawaiian organi-  
9 zation, acting jointly;”

10 (F) by transferring paragraph (4), as so  
11 redesignated, so as to insert such paragraph  
12 after paragraph (3), as so redesignated, and

13 (G) by inserting after paragraph (5), as so  
14 redesignated the following:

15 “(6) ‘Native Hawaiian community development  
16 financial institution’ means a person (other than an  
17 individual) that—

18 “(A) qualifies as a community development  
19 financial institution, as defined in section  
20 102(5) of the Community Development Bank-  
21 ing and Financial Institutions Act of 1994 (12  
22 U.S.C. 4702(5));

23 “(B) satisfies the requirements applicable  
24 under such Act to applicants for assistance  
25 from the Community Development Financial

1 Institutions Fund established under section  
2 104(a) of such Act;

3 “(C) demonstrates a special interest and  
4 expertise in serving the primary economic devel-  
5 opment and mortgage lending needs of the Na-  
6 tive Hawaiian community; and

7 “(D) demonstrates that it has the endorse-  
8 ment of the Native Hawaiian community;

9 “(7) ‘Native Hawaiian organization’ means an  
10 organization serving Native Hawaiians in the State  
11 of Hawaii that—

12 “(A) is a nonprofit organization;

13 “(B) is controlled by Native Hawaiians;  
14 and

15 “(C) whose business activities will prin-  
16 cipally benefit Native Hawaiians ;”.

17 (c) ADDITIONAL PROVISION.—Section 812 of the Na-  
18 tive American Programs Act of 1974 (42 U.S.C. 2992a)  
19 is repealed.

20 (d) AUTHORIZATION OF APPROPRIATIONS.—Section  
21 816 of the Native American Programs Act of 1974 (42  
22 U.S.C. 2992d) is amended to read as follows:

23 **“SEC. 816. AUTHORIZATION OF APPROPRIATIONS.**

24 “There are authorized to be appropriated to carry out  
25 this title \$35,000,000 for fiscal year 1997 and such sums

1 as may be necessary for fiscal years 1998, 1999, 2000,  
2 and 2001.”.

3 (e) EFFECTIVE DATE; TRANSITION PROVISIONS.—

4 (1) EFFECTIVE DATE.—Except as provided in  
5 paragraphs (2) and (3), this Act and the amend-  
6 ments made by this Act shall take effect on October  
7 1, 1996.

8 (2) SPECIAL EFFECTIVE DATE.—Subsection (d)  
9 shall take effect on the date of the enactment of this  
10 Act.

11 (3) TRANSITION PROVISION.—Section 803A as  
12 in effect before October 1, 1996, shall remain in ef-  
13 fect with respect to all funds made available under  
14 such section before such date.

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